

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

RALPH W. BOYD

PLAINTIFF

V.

NO. 1:13CV00030-JMV

**DEPARTMENT OF MEDICAID
JACKSON, MS**

DEFENDANT

ORDER

By Order [5] dated March 4, 2013, this court granted Plaintiff's motion to proceed in this action *in forma pauperis*. However, the court also determined that the *pro se* complaint was extremely deficient. Specifically, the court found that though the subject of the complaint was Boyd's dissatisfaction with certain medical treatment, the exact nature of the dispute was unclear; there was no statement of what injury Plaintiff had suffered; and the role that the named defendant had played was unclear. Additionally, the court determined that the complaint stated no adequate basis for this court's jurisdiction over the matter. Accordingly, Plaintiff was required to file an amended complaint within fourteen (14) days.

When Plaintiff failed to timely file an amended complaint, by Order [6] dated April 29, this court ordered Plaintiff to show cause why this case should not be dismissed for failure to obey an order of the court. On May 7, however, Plaintiff responded by letter, indicating that he had been preoccupied due to travel for medical appointments. The court construed Plaintiff's letter as a request for additional time to file an amended complaint, and by Order [8] dated May 10, granted Plaintiff additional time until May 24, 2013, to file the amendment. Plaintiff was warned that his failure to comply with that Order might lead to dismissal of his case for failure to obey a court order. On May 22 Plaintiff filed an "Amended Complaint" [10]. However, none of the deficiencies pointed out by the court in its March 4 Order were cured. To the contrary, the Amended Complaint is largely incomprehensible and neither states a basis for this court's

jurisdiction, nor clearly articulates what relief Plaintiff seeks. Nevertheless, considering Plaintiff's *pro se* status, the court will allow him yet another opportunity to amend the complaint in order to state a cognizable claim over which this court has jurisdiction.

IT IS, THEREFORE, ORDERED that Plaintiff shall, within fourteen (14) days, file an amended complaint which clearly states the basis of this court's jurisdiction and explains why Plaintiff believes he is entitled to relief, including but not limited to, an explanation of any wrongdoing committed by the named defendant. Plaintiff is warned that failure to file an amended complaint that complies with these instructions will subject the complaint to dismissal without prejudice.

This, the 9th day of July, 2013.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE